

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

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4 JASON LATRELL THOMAS,

Case No. 2:22-cv-00051-RFB-EJY

5 Plaintiff,

6 v.

7 SERENA HAIRE, et al.,

8 Defendants.

9  
**ORDER**

10 Pending before the Court is Plaintiff's Motion Seeking to Amend Complaint. ECF No. 16.  
11 No defendants have been served in this matter; thus, no opposition was filed. The Court notes that  
12 Plaintiff commenced this action on October 29, 2021. ECF No. 1. Further, this is not a matter filed  
13 under the *in forma pauperis* statute and, therefore, is not screened.

14 While the Court will allow Plaintiff to amend his Complaint, the Court notes that under Rule  
15 4(m) of the Federal Rule of Civil Procedures Plaintiff has not timely served any defendant. Rule  
16 4(m) states: "If a defendant is not served within 90 days after the complaint is filed, the court—on  
17 motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against  
18 that defendant or order that service be made within a specified time."

19 Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion Seeking to Amend  
20 Complaint (ECF No. 16) is GRANTED.

21 IT IS FURTHER ORDERED that the Clerk of Court shall separate ECF No. 16-1 from ECF  
22 No. 16 and file the First Amended Complaint on the docket.

23 IT IS FURTHER ORDERED that Plaintiff must review Federal Rule of Civil Procedure 4  
24 regarding service of a complaint and comply with service no later than 90 days from today's date.

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1 IT IS FURTHER ORDERED that failure to timely serve at least one defendant in this action  
2 will result in a recommendation by the Court to dismiss this matter without prejudice.  
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4 Dated this 4th day of October, 2022.

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6 ELAYNA J. YOUCRAH  
7 UNITED STATES MAGISTRATE JUDGE  
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